

- [Query](#)
- [Reports](#)
- [Utilities](#)
- [Logout](#)

CLOSED, ECF

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:09-cv-07465-HB**

American Civil Liberties Union et al v. Department Of  
Homeland Security  
Assigned to: Judge Harold Baer  
Cause: 05:552 Freedom of Information Act

Date Filed: 08/26/2009  
Date Terminated: 06/22/2010  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**American Civil Liberties Union**  
*125 Broad Street, New York, 10004*

represented by **Jameel Jaffer**  
American Civil Liberties Union  
Foundation (NYC)  
125 Broad Street  
18th Floor  
New York, NY 10004  
(212) 549-2600  
Fax: (212) 549-2629  
Email: [jjaffer@aclu.org](mailto:jjaffer@aclu.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Catherine Newby Crump**  
American Civil Liberties Union  
Foundation (NYC)  
125 Broad Street  
18th Floor  
New York, NY 10004  
(212) 519-7806  
Fax: (212) 549-2651  
Email: [ccrump@aclu.org](mailto:ccrump@aclu.org)  
**ATTORNEY TO BE NOTICED**

**Laurence Michael Schwartztol**  
American Civil Liberties Union  
Foundation (NYC)

125 Broad Street  
18th Floor  
New York, NY 10004  
(212) 519-7849  
Fax: (212) 549-2680  
Email: lschwartztol@aclu.org  
*ATTORNEY TO BE NOTICED*

**Melissa Goodman**  
American Civil Liberties Union  
Foundation (NYC)  
125 Broad Street  
18th Floor  
New York, NY 10004  
(212)549-2622  
Fax: (212)549-2629  
Email: mgoodman@nyclu.org  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**American Civil Liberties Union  
Foundation**  
*125 Broad Street, New York, 10004*

represented by **Jameel Jaffer**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Catherine Newby Crump**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Laurence Michael Schwartztol**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Melissa Goodman**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Department Of Homeland Security**  
*Washington, DC 20528*

represented by **Mara Emet Trager**  
U.S. Attorney's Office, SDNY (Chambers  
Street)  
86 Chambers Street  
New York, NY 10007  
212 637 2799

Fax: 212 637 2702  
Email: mara.trager@usdoj.gov  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
08/26/2009	<a href="#">1</a>	COMPLAINT against Department Of Homeland Security. (Filing Fee \$ 350.00, Receipt Number 698398)Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(ama) (Entered: 08/26/2009)
08/26/2009		SUMMONS ISSUED as to Department Of Homeland Security. (ama) (Entered: 08/26/2009)
08/26/2009		Magistrate Judge Debra Freeman is so designated. (ama) (Entered: 08/26/2009)
08/26/2009		Case Designated ECF. (ama) (Entered: 08/26/2009)
08/26/2009	2	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation.(ama) (Entered: 08/26/2009)
09/02/2009	<a href="#">3</a>	AFFIDAVIT OF SERVICE. Department Of Homeland Security served on 8/26/2009, answer due 9/15/2009. Service was made by Mail. Document filed by American Civil Liberties Union; American Civil Liberties Union Foundation. (Jaffer, Jameel) (Entered: 09/02/2009)
09/21/2009	4	LETTER addressed to Mr. Haffer from The Chambers of Harold Baer dated 9/21/09 re: There will be a Pre-Trial Conference (PTC) in the above case at 3:00 P.M. on Thursday, November 4, 2009 in Chambers, Room 2230. It is your responsibility to notify your adversary(ies) of the date and time with a copy to us.(mro) (Entered: 09/22/2009)
09/21/2009		Set Deadlines/Hearings: Pretrial Conference set for 11/4/2009 at 03:00 PM before Judge Harold Baer. (mro) (Entered: 09/22/2009)
09/25/2009	<a href="#">5</a>	ANSWER to Complaint. Document filed by Department Of Homeland Security. (Trager, Mara) (Entered: 09/25/2009)

10/26/2009	<u>6</u>	LETTER addressed to Mr. Jaffer from The Chambers of Harold Baer dated 10/20/09 re: The Pre-Trial (PTC) in the above case has been rescheduled. The new date and time is Tuesday, November 3, 2009, at 10am. Please notify your adversary. (mro) (Entered: 10/26/2009)
10/26/2009		Set Deadlines/Hearings: Pretrial Conference set for 11/3/2009 at 10:00 AM before Judge Harold Baer. (mro) (Entered: 10/26/2009)
11/03/2009	<u>7</u>	STIPULATION AND ORDER AND AGREED, by and among the parties as follows: On or before February 15, 2010, DHS will complete its response to the FOIA request except for a subset of records related to paragraph number 2 of the FOIA request (the "First Production Deadline"); On or before March 31, 2010, DHS will submit a Vaughn index of those records withheld in whole or in part in connection with the First Production Deadline. On or before March 31, 2010, DHS will complete its response to paragraph number 2 of the FOIA request (the "Second Production Deadline"); On or before April 30, 2010, the Government will submit a Vaughn index of records withheld in whole or in part in connection with the Second Production Deadline. Notwithstanding the above-referenced deadlines, DHS will respond at an earlier date to the extent practicable. By entering into this Stipulation and Order, DHS does not waive any of its rights under FOIA, including its right to object to any portion of the FOIA request that does not reasonably identify records sought and its right to redact or withhold records pursuant to applicable FOIA exemptions. By entering into this Stipulation and Order, plaintiff does not waive any of its rights under FOIA including its right to challenge DHS's withholding or redacting of records in whole or in part pursuant to FOIA exemptions. SO ORDERED (Signed by Judge Harold Baer on 11/3/2009) (jmi) (Entered: 11/10/2009)
01/07/2010	<u>8</u>	MOTION for Laurence M. Schwartztol to Withdraw as Attorney. Document filed by American Civil Liberties Union, American Civil Liberties Union Foundation. (Schwartztol, Laurence) (Entered: 01/07/2010)
02/24/2010	<u>9</u>	ENDORSED LETTER addressed to Judge Harold Baer from Mara E. Trager dated 2/9/2010 re: Counsel for defendants Department of Homeland Security write to request an extension of time to finalize production of responsive records pursuant to paragraph 1 of the Stipulation and Order, dated 11/3/09, which requires DHS to "complete its response to the FOIA request except for a subset of records related to paragraph number 2 of the FOIA request" on or before 2/15/2010. DHS requests that the deadline be extended until 2/23/2010. In additional, DHS requests an additional four weeks (until 3/15/2010) to search for and produce any responsive records that may be in emails or files of one of its former employees. ENDORSEMENT: Granted in both respects. (Signed by Judge Harold Baer on 2/24/2010) (tro) (Entered: 02/24/2010)
03/16/2010	<u>10</u>	NOTICE OF APPEARANCE by Melissa Goodman on behalf of American Civil Liberties Union, American Civil Liberties Union Foundation (Goodman, Melissa) (Entered: 03/16/2010)

03/22/2010	<a href="#"><u>1</u></a> <a href="#"><u>1</u></a>	ENDORSED LETTER addressed to Judge Harold Baer, Jr. from Mara E. Trager dated 3/22/2010 re: Requesting a nine day extension of time until April 9, 2010 to finalize production of responsive records and a partial Vaughn index pursuant to paragraphs 2 and 3 of the stipulation and order dated November 3, 2010. ENDORSEMENT: April 9, 2010 is agreeable to me. (Signed by Judge Harold Baer on 3/22/2010) (jpo) (jpo). (Entered: 03/22/2010)
05/06/2010	<a href="#"><u>1</u></a> <a href="#"><u>2</u></a>	ENDORSED LETTER addressed to Judge Harold Baer from Mara E. Trager dated 5/4/2010 re: Counsel requests an adjournment of the conference currently scheduled for 5/6/2010 until sometime in early June. ENDORSEMENT: Adjourned to June 10 at 3PM. (Status Conference set for 6/10/2010 at 03:00 PM before Judge Harold Baer.) (Signed by Judge Harold Baer on 5/6/2010) (tro) (Entered: 05/06/2010)
06/10/2010	<a href="#"><u>1</u></a> <a href="#"><u>3</u></a>	ENDORSED LETTER addressed to Judge Harold Baer from Mara Trager dated 6/8/10 re: Request to adjourn the conference set for 6/10. ENDORSEMENT: I will adjourn to 6/23/10 and if no stipulation of discontinuance is on my desk the conference will take place at 3:00 pm. ( Status Conference reset for 6/23/2010 at 03:00 PM before Judge Harold Baer.) (Signed by Judge Harold Baer on 6/9/10) (cd) (Entered: 06/10/2010)
06/22/2010	<a href="#"><u>1</u></a> <a href="#"><u>4</u></a>	STIPULATION AND ORDER OF DISMISSAL that this action is hereby dismissed with prejudice, with all parties to bear their own costs and attorneys' fees. (Signed by Judge Harold Baer on 6/22/10) (cd) (Entered: 06/22/2010)

## PACER Service Center

### Transaction Receipt

09/22/2011 22:55:00

<b>PACER Login:</b>	pb0232	<b>Client Code:</b>	foiaproj
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:09-cv-07465-HB
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.24